

Section Four

Licensing and Enforcement Measures

Figure 1: Corporate Application Activity, FY 2011 and FY 2012

	FY 2011 ^a	FY 2012	FY 2012 decisions			
	Applications received		Approved	Conditionally approved	Denied	Total ^b
Branches	917	844	860	2	0	862
Capital/sub-debt	224	174	142	2	0	145
Change in bank control	4	10	1	2	0	6
Charters	6	2	1	1	0	2
Conversions ^c	8	5	2	6	0	8
Federal branches	2	5	0	2	0	2
Fiduciary powers	9	16	3	2	0	5
Mergers ^d	70	98	86	6	0	94
Relocations	187	197	191	1	0	192
Reorganizations (national banks only)	71	53	43	6	0	49
Stock appraisals	0	0	0	0	0	0
Subsidiaries	107	148	112	2	0	115
12 CFR 5.53 change in assets	2	26	22	5	0	27
Limited national bank upgrade	1	0	0	0	0	0
Operations	31	35	25	0	0	25
Sasser/conversions out ^e	9	38	41	0	0	41
Bylaw/charter (federal savings associations only)	8	73	66	0	0	66
Total	1,656	1,724	1,595	37	0	1,639

Source: OCC data.

^a Data collected for federal savings associations are for the fourth quarter of FY 2011 only.

^b Total includes alternative decisions or no-objections.

^c Conversions to national bank charters.

^d Mergers include failure transactions when a national bank is the resulting institution.

^e Conversions to federal savings association charters and mutual-to-stock conversions.

Figure 2: Licensing Actions and Timeliness, FY 2011 and FY 2012

	Target time frames in days ^a	FY 2011			FY 2012		
		Number of decisions	Within target		Number of decisions	Within target	
			Number	Percent		Number	Percent
Branches	45/60	870	857	99	862	858	100
Capital/sub-debt	30/45	185	176	95	145	142	98
Change in bank control	NA/60	3	2	67	6	5	83
Charters ^b		8	7	88	2	2	100
Conversions	30/90	3	2	67	8	6	75
Federal branches	NA/120	1	1	100	2	2	100
Fiduciary powers	30/45	2	2	100	5	4	80
Mergers	45/60	51	49	96	94	91	97
Relocations	45/60	170	165	97	192	188	98
Reorganizations	45/60	64	58	91	49	42	86
Stock appraisals	NA/90	0	0	0	0	0	0
Subsidiaries	NA	24	21	88	115	113	98
12 CFR 5.53 change in assets	NA/60	1	1	100	27	26	96
Limited national bank upgrade		0	0	0	0	0	0
Operations	30/60				25	25	100
Sasser/conversions out	30/60				41	41	100
Bylaw/charter	30/60				66	66	100
Total		1,382	1,341	97	1,639	1,611	98

Source: OCC data.

Note: Most decisions (97 percent in 2011 and 93 percent in 2012) were decided in the district offices and Large Bank Licensing under delegated authority. Decisions include approvals, conditional approvals, and denials. NA means not applicable.

^a The data are for national banks and federal savings associations combined. Those filings that qualified for the “expedited review” process are subject to the shorter time frames listed. The longer time frames are the standard benchmarks for more complex applications. The target time frame may be extended if the OCC needs additional information to reach a decision, permits additional time for public comment, or processes a group of related filings as one transaction.

^b For independent national bank charter applications, the target time frame is 120 days. For holding-company-sponsored applications, the target time frame is 45 days for applications eligible for expedited review and 90 days for all others.

Figure 3: OCC Changes in Bank Control Act Actions, FY 2008–FY 2012 (Notices Processed With Disposition)^a

Year	Received	Acted on	Not disapproved	Disapproved	Withdrawn
2012	10	6	6	0	0
2011	4	6	6	0	0
2010	8	5	5	0	0
2009	10	10	7	0	3
2008	5	4	4	0	0

Source: OCC data.

^a FY 2011 and 2012 data are for national banks and federal savings associations combined.

Figure 4: OCC Enforcement Actions, FY 2012

Type of enforcement action	Against institutions	Against institution-affiliated parties
Cease-and-desist orders	57	9
Temporary cease-and-desist orders	0	0
12 USC 1818 civil money penalties	2	38
12 USC 1818 civil money penalties amount assessed	\$ 55,000,000	\$ 220,250
Flood insurance civil money penalties	8	0
Flood insurance civil money penalties amount assessed	\$ 111,775	\$ 0
Restitution orders	4	2
Amount of restitution ordered	\$ 164,518,013	\$ 37,000
Formal agreements	57	0
Capital directives	0	NA
Prompt corrective action directives	8	NA
Individual minimum capital ratio letters	46	NA
Safety and soundness orders	0	NA
Memorandums of understanding	29	0
Commitment letters	2	NA
Suspension orders	NA	1
12 USC 1818 removal/prohibition orders	NA	19
12 USC 1829 prohibitions	NA	103
Letters of reprimand	NA	10
Total	213	182

Note: NA means not applicable.

Figure 5: List of Applications Presenting Community Reinvestment Act Issues Decided, FY 2012

Bank, city, state	Approval date	Document number
Raymond James Bank, FSB, St. Petersburg, Fla. (conversion)	January 2012	Conditional Approval No. 1022
Capital One, NA, and Capital One Bank (USA), NA, McLean, Va. (purchase and assumption)	March 2012	CRA Decision No. 149
First Niagara Bank, NA, Buffalo, N.Y. (purchase and assumption)	April 2012	Conditional Approval No. 1031
TD Bank, NA, Wilmington, Del. (branch establishment)	August 2012	CRA Decision No. 150